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JUL 28 2006

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES AND/OR
SUBMISSION OF APPEAL BRIEF**

Attorney Docket No.
B0410/7278

In re Application of Richard A. Gambale et al.

Application Serial Number 09/743,726

Filed: April 12, 2001

Group Art Unit: 3763

Examiner: Mendez, Manuel A.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated 01/25/2006, rejecting the following claims: 1-14.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500.00

Fee for Brief in support of appeal 37 CFR 41.20(b)(2) \$

Applicant claims small entity status under 37 CFR 1.27, therefore, the fee(s) shown above is/are reduced by half, and the resulting fee is: \$

Appeal Brief enclosed in triplicate.

A check in the amount of the fee is enclosed.

The Commissioner is hereby authorized to charge the required fee to Deposit Account No. 50-1721. Enclosed is a copy of this sheet.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-1721.

A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

Return receipt postcard enclosed.

I am the applicant

assignee of record of the entire interest.

07/31/2006 BABRAHA1 00000126 09743726

attorney or agent of record.

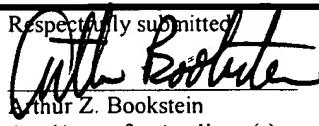
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attorney or agent under 37 CFR 1.34(a).

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Registration number if acting under 37 CFR 1.34(a). 22,958.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Kirkpatrick & Lockhart Nicholson Graham LLP State Street Financial Center One Lincoln Street Boston, MA 02111-2950 Tel No.: (617) 261-3100 Fax No.: (617) 261-3175	Date: July 25, 2006 Reg. No. 22,958 Tel. No.: (617) 261-3100 Fax No.: (617) 261-3175 Respectfully submitted,  Arthur Z. Bookstein Atty/Agent for Applicant(s) Kirkpatrick & Lockhart Nicholson Graham LLP State Street Financial Center One Lincoln Street Boston, MA 02111-2950